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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

vs.

IGNACIA RENTERIA RAMOS and
ALFREDO RODRIGUEZ RAMOS,
individually and d/b/a MARISCOS COSTA
AZUL,

Defendants.

JURY TRIAL DEMANDED

Case No.: 5:13-cv-02001-LHK

**ADMINISTRATIVE REQUEST OF
DEFENDANT IGNACIA RENTERIA
RAMOS' ATTORNEY MATTHEW A. PARE
TO APPEAR AT THE DECEMBER 18, 2013
CASE MANAGEMENT CONFERENCE BY
TELEPHONE**

TO THE HONORABLE COURT:

COMES NOW defendant Ignacia Renteria Ramos, individually and d/b/a Mariscos Costa Azul (referred to as "defendant" herein), appearing by counsel, and files this Administrative Request on the part of her counsel of record to make a telephonic Court appearance at the Case Management Conference on Wednesday, December 18, 2013, at 2:00 p.m.

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1 1. The grounds for this request to appear by phone are as follows: On that particular
 2 day defendant's counsel is scheduled to appear at numerous court ordered mediations and
 3 scheduling conferences in Los Angeles and San Diego, California, and as such it would be
 4 impossible to travel to attend this case management conference. Specifically, there is a mediation
 5 in the case of J & J Sports Productions, Inc. vs. Sony Pream Hul, Case No. 2:11-cv-09278-WDK-
 6 PLA in the Central District of California, at 9:00 a.m., an early neutral evaluation conference in the
 7 case of J & J Sports Productions, Inc. vs. Rodolfo Arias, et al., Case No. 3:13-cv-01073-W-KSC,
 8 in the Southern District of California at 9:30 a.m., a mediation in the case of J & J Sports
 9 Productions, Inc. vs. Rosemead Moose Lodge, Case No. 2:12-cv-03903-WDK-FMO, in the
 10 Central District of California at 10:00 a.m., a mediation in the case of J & J Sports Productions,
 11 Inc. vs. Alicia Cuevas, et al., Case No. 2:12-cv-07640-WDK-PLA, in the Central District of
 12 California at 10:00 a.m., a mediation in the cases of J & J Sports Productions, Inc. vs. Maeve
 13 Coyle, et al., Case Nos. 2:12-cv-07854-WDK-FMO and 2:12-cv-09695-WDK-FMO, in the
 14 Central District of California at 11:00 a.m., and a mediation in the case of J & J Sports
 15 Productions, Inc. vs. Jose Santos, et al., Case No. 2:12-cv-09650-WDK-FMO in the Central
 16 District of California at 1:00 p.m.

17 2. In addition to all of the numerous above-mentioned mediations, defendant's
 18 counsel is also scheduled to appear at another case management conference also at 2:00 p.m. in
 19 this very department in the matter of Innovative Sports Management, Inc. vs. Francisco Robles, et
 20 al., Case No. 5:13-cv-00660-LHK. Defendant's counsel will also be filing a request to appear by
 21 phone in that case as well.

22 3. In addition to all of the above-described scheduling conflicts, defendants' counsel
 23 resides and maintains his office in Southern California, specifically with an office Chula Vista,
 24 CA. In order to make a personal appearance at the case management conference there would be a
 25 very considerable expense, including the travel costs and time. As such, it would be unnecessary
 26 and wasteful to require a personal appearance at the case management conference under these
 27 circumstances.

1 4. Furthermore, this particular case is a television signal piracy lawsuit, arising out of
2 the alleged unauthorized exhibition of a pay-per-view TV event at a commercial establishment.
3 These types of cases are routinely settled. Defendants' counsel herein specializes in this area of
4 the law and has resolved numerous such cases throughout the United States, and with plaintiff's
5 counsel in particular. In order to maximize the chances of settlement it is advantageous to keep
6 the costs and attorney's fees to a minimum, which is what this Court would help facilitate by
7 allowing for the requested telephonic appearance.

8 5. Additionally, based upon my experience, case management conferences are
9 typically conducted by telephone in various jurisdictions and venues, including specifically within
10 the federal court system and in the Northern District of California in particular. The preferred
11 method is to allow counsel to initiate a conference call and call chambers directly (as opposed to
12 using court call). Using this procedure, significant expenses for everyone can be saved by
13 conducting the case management conference by telephone. Also, given the nature of the case
14 management conference, namely that it primarily consists of setting dates that have already been
15 agreed to and a very quick discussion of the case, there is not any pressing need for a face-to-face
16 interaction.

17 6. While there are ample reasons to conduct all case management conferences by
18 telephone, this is especially so in television signal piracy cases like this instant case. The nature of
19 plaintiff's claim is rather simple, namely that defendants exhibited a pay-per-view television event
20 at a commercial location without authorization. There are no great complexities that would justify
21 an in-person case management conference to discuss the nuances and intricacies of the matter,
22 particularly at this early stage of the case before even the basic written discovery has been
23 completed.

24 7. It is also worth observing that many federal courts have consistently viewed
25 television signal piracy cases as a nuisance value or nominal value claim, even in the context of
26 granting default judgments (when all of plaintiff's allegations are presumed to be true), and thus is
27 does not make sense to incur travel and related attorney's fees expenses for a case management

1 conference that would likely be in excess of the total value of the claim. For example, the
2 following cases resulted in statutory damages of only \$250.00: *J & J Sports Productions, Inc. v.*
3 *Felipe Cruz Manzano*, U.S. Dist. LEXIS 84931 (N.D. Cal. 2008); *J & J Sports Productions, Inc. v.*
4 *Steve Sang Ro*, U.S. Dist. LEXIS 21425 (N.D. Cal. 2010), *J & J Sports Productions, Inc. v.*
5 *Aviles*, 2011 WL 1884617 *3 (N.D. Cal. May 18, 2011) (all relatively recent cases in this
6 particular United States District Court as well). There are literally hundreds of other similar cases
7 with extremely small default judgment awards in signal piracy cases; those are merely some
8 examples.

9 8. For all of the above-described reasons, it is hereby requested that defendants'
10 attorney Matthew A. Paré be permitted to make a telephonic appearance at the case management
11 conference in this matter on December 18, 2013, at 2:00 p.m. Additionally, it is respectfully
12 requested that the Court issue its ruling on this request as soon as possible so as to enable travel
13 arrangements to be made as far in advance of the case management conference as possible if a
14 personal appearance is deemed necessary.

15 Respectfully submitted.

16 Dated: December 4, 2013

LAW OFFICE OF MATTHEW PARE, APC

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By: /s/ Matthew A. Paré, Esquire

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Matthew A. Paré, Esquire
Counsel for Defendant

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10 **CERTIFICATE OF SERVICE**

11 I hereby certify that on December 4, 2013, I electronically filed the foregoing with the Clerk
12 of the Court using the ECF System which sent notification of such filing to the following:

13 Thomas P. Riley, Esq., California State Bar No.: 194706
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28 By: /s/ Matthew A. Paré

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30 Matthew A. Paré, Esquire